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CATHY A. CATTERSON, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

HASSAN HAJIYUSUF IMAN,

Petitioner,

v.

MICHAEL B. MUKASEY, ** Attorney
General,

Respondent.

No. 04-72790

Agency No. A77-841-105

MEMORANDUM *

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted November 9, 2007***
San Francisco, California

* This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

** Michael B. Mukasey is substituted for his predecessor, Alberto R. Gonzales, as Attorney General of the United States, pursuant to Fed. R. App. P. 43(c)(2).

*** The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

Before: SILVERMAN and W. FLETCHER, Circuit Judges, and TIMLIN****, Senior Judge.

Hassan Haji Yusuf Iman, a native of Somalia and citizen of Canada, petitions for review of the Board of Immigration Appeals' summary affirmance of the Immigration Judge's denial of his I-212 application to reapply *nunc pro tunc* for admission. We lack jurisdiction to consider the discretionary denial of Iman's application for admission and dismiss the petition for review. 8 U.S.C. § 1252(a)(2)(B)(ii); *Perez-Gonzalez v. Ashcroft*, 379 F.3d 783, 788-89 (9th Cir. 2004); *Ramadan v. Gonzales*, 479 F.3d 646, 654 (9th Cir. 2007) (noting that the "case does not involve a challenge to the agency's exercise of discretion" and that "[s]ection 106 does not restore jurisdiction over discretionary determinations").

PETITION FOR REVIEW DISMISSED.

**** The Honorable Robert J. Timlin, United States District Judge for the Central District of California, sitting by designation.